

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:18-cv-03712-GHW**

Natural Resources Defense Council, Inc. v. U.S. Department of the Interior et al

Assigned to: Judge Gregory H. Woods

Cause: 05:552 Freedom of Information Act

Date Filed: 04/26/2018

Jury Demand: None

Nature of Suit: 895 Freedom of Information Act

Jurisdiction: U.S. Government Defendant

Plaintiff

Natural Resources Defense Council, Inc.

represented by **Ian Fein**
Natural Resources Defense Counsel
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Ste 21st Floor
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

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V.

Defendant

U.S. Department of the Interior

represented by **Monica Pilar Folch**
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Defendant

U.S. Fish and Wildlife Service

represented by **Monica Pilar Folch**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text |
|------------|----------|---|
| 04/26/2018 | <u>1</u> | COMPLAINT against U.S. Department of the Interior, U.S. Fish and Wildlife Service. (Filing Fee \$ 400.00, Receipt Number 0208-14994618) Document filed by Natural Resources Defense Council, Inc.. (Marks, Nancy) (Entered: 04/26/2018) |
| 04/26/2018 | <u>2</u> | CIVIL COVER SHEET filed. (Marks, Nancy) (Entered: 04/26/2018) |
| 04/26/2018 | <u>3</u> | REQUEST FOR ISSUANCE OF SUMMONS as to U.S. Department of the Interior, re: <u>1</u> Complaint. Document filed by Natural Resources Defense Council, Inc.. (Marks, |

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| | | Nancy) (Entered: 04/26/2018) |
| 04/26/2018 | <u>4</u> | REQUEST FOR ISSUANCE OF SUMMONS as to U.S. Fish and Wildlife Service, re: <u>1</u> Complaint. Document filed by Natural Resources Defense Council, Inc.. (Marks, Nancy) (Entered: 04/26/2018) |
| 04/26/2018 | <u>5</u> | RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Natural Resources Defense Council, Inc..(Marks, Nancy) (Entered: 04/26/2018) |
| 04/27/2018 | <u>6</u> | MOTION for Ian Fein to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-14998819. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Natural Resources Defense Council, Inc.. (Attachments: # <u>1</u> Certificate of Good Standing, # <u>2</u> Affidavit Affidavit of Ian Fein, # <u>3</u> Text of Proposed Order Proposed Order)(Fein, Ian) (Entered: 04/27/2018) |
| 04/27/2018 | | >>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>6</u> MOTION for Ian Fein to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-14998819. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (bcu) (Entered: 04/27/2018) |
| 04/27/2018 | | ***NOTICE TO ATTORNEY REGARDING CIVIL. CASE OPENING STATISTICAL ERROR CORRECTION: Notice to attorney Nancy Sharman Marks. The following case opening statistical information was erroneously selected/entered: Jurisdiction code 3 (Federal Question). The following correction(s) have been made to your case entry: the Jurisdiction code has been modified to 2 (U.S. Government Defendant). (pc) (Entered: 04/27/2018) |
| 04/27/2018 | | CASE OPENING INITIAL ASSIGNMENT NOTICE: The above-entitled action is assigned to Judge Gregory H. Woods. Please download and review the Individual Practices of the assigned District Judge, located at http://nysd.uscourts.gov/judges/District . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. Please download and review the ECF Rules and Instructions, located at http://nysd.uscourts.gov/ecf_filing.php . (pc) (Entered: 04/27/2018) |
| 04/27/2018 | | Magistrate Judge Robert W. Lehrburger is so designated. Pursuant to 28 U.S.C. Section 636(c) and Fed. R. Civ. P. 73(b)(1) parties are notified that they may consent to proceed before a United States Magistrate Judge. Parties who wish to consent may access the necessary form at the following link: http://nysd.uscourts.gov/forms.php . (pc) (Entered: 04/27/2018) |
| 04/27/2018 | | Case Designated ECF. (pc) (Entered: 04/27/2018) |
| 04/27/2018 | <u>7</u> | ELECTRONIC SUMMONS ISSUED as to U.S. Department of the Interior. (pc) (Entered: 04/27/2018) |
| 04/27/2018 | <u>8</u> | ELECTRONIC SUMMONS ISSUED as to U.S. Fish and Wildlife Service. (pc) (Entered: 04/27/2018) |
| 05/17/2018 | <u>9</u> | AFFIDAVIT OF SERVICE (FOIA CASE) of Summons and Complaint served. U.S. Department of the Interior served on 5/7/2018, answer due 6/6/2018; U.S. Fish and Wildlife Service served on 5/7/2018, answer due 6/6/2018. Service was made by mail. Document filed by Natural Resources Defense Council, Inc.. (Attachments: # <u>1</u> Exhibit A - Certified Mail Receipt and Summons Interior, # <u>2</u> Exhibit B - Certified Mail Receipt and Summons FWS, # <u>3</u> Exhibit C - Certified Mail Receipt AG, # <u>4</u> Exhibit D - Certified Mail Receipt USAO)(Fein, Ian) (Entered: 05/17/2018) |
| 05/22/2018 | 10 | ORDER granting <u>6</u> Motion for Ian Fein to Appear Pro Hac Vice. (HEREBY ORDERED by Judge Gregory H. Woods)(Text Only Order) (Woods, Gregory) (Entered: 05/22/2018) |
| 05/22/2018 | <u>11</u> | NOTICE OF INITIAL CONFERENCE: Initial Conference set for 6/19/2018 at 10:00 AM in Courtroom 12C, 500 Pearl Street, New York, NY 10007 before Judge Gregory H. Woods. (Signed by Judge Gregory H. Woods on 5/22/2018) (ne) (Entered: 05/22/2018) |

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| 06/01/2018 | <u>12</u> | LETTER MOTION for Extension of Time <i>and Adjournment of Initial Conference</i> addressed to Judge Gregory H. Woods from Monica P. Folch dated June 1, 2018. Document filed by U.S. Department of the Interior, U.S. Fish and Wildlife Service.(Folch, Monica) (Entered: 06/01/2018) |
| 06/04/2018 | 13 | ORDER granting <u>12</u> Letter Motion for Extension of Time. Defendants' request for an extension of time to answer or otherwise respond to the complaint, and for an adjournment of the initial pretrial conference, Dkt. No. 12, is granted. The deadline for Defendants to answer or otherwise respond to the complaint is extended to June 20, 2018. The initial pretrial conference currently scheduled for June 19, 2018 is adjourned to July 10, 2018 at 4:50 p.m. The joint status letter described in the Court's May 22, 2018 order, Dkt. No. 11, is due no later than July 3, 2018. (HEREBY ORDERED by Judge Gregory H. Woods)(Text Only Order) (Woods, Gregory) (Entered: 06/04/2018) |
| 06/04/2018 | | Set/Reset Hearings: Initial Conference set for 7/10/2018 at 04:50 PM before Judge Gregory H. Woods. (Daniels, Anthony) (Entered: 06/04/2018) |
| 06/20/2018 | <u>14</u> | ANSWER to <u>1</u> Complaint. Document filed by U.S. Department of the Interior, U.S. Fish and Wildlife Service.(Folch, Monica) (Entered: 06/20/2018) |
| 06/21/2018 | | Minute Entry for proceedings held before Judge Gregory H. Woods: Telephone Conference held on 6/21/2018. (Court Reporter Jennifer Thun) (Daniels, Anthony) (Entered: 06/22/2018) |
| 07/03/2018 | <u>15</u> | JOINT LETTER addressed to Judge Gregory H. Woods from All Parties dated 07/03/2018 re: Initial Conference. Document filed by Natural Resources Defense Council, Inc..(Fein, Ian) (Entered: 07/03/2018) |
| 07/10/2018 | | Minute Entry for proceedings held before Judge Gregory H. Woods: Initial Pretrial Conference held on 7/10/2018. (Court Reporter Mike McDaniels) (Daniels, Anthony) (Entered: 07/11/2018) |
| 07/11/2018 | 16 | ORDER. The production schedule discussed during the initial pretrial conference held on July 10, 2018, and agreed to by the parties, follows: the Defendants shall make their first production of responsive documents to Plaintiff no later than August 13, 2018; Defendants shall continue producing responsive documents on a rolling basis, including, but not limited to, a second production no later than September 13, 2018; and Defendants shall complete their search, processing, and production of documents no later than October 12, 2018. Defendants are ordered to produce a comprehensive Vaughn Index no later than two weeks following their final production of documents, and in no event later than October 26, 2018. The parties are ordered to submit a letter regarding the status of the case and any outstanding disputes no later than 30 days following Defendants' production of a Vaughn index, and in no event later than November 26, 2018. (HEREBY ORDERED by Judge Gregory H. Woods on July 11, 2018) (Text Only Order)(Woods, Gregory) (Entered: 07/11/2018) |
| 10/10/2018 | <u>17</u> | LETTER MOTION for Extension of Time <i>to process documents responsive to FOIA requests</i> addressed to Judge Gregory H. Woods from Monica P. Folch dated October 10, 2018. Document filed by U.S. Department of the Interior, U.S. Fish and Wildlife Service.(Folch, Monica) (Entered: 10/10/2018) |
| 10/11/2018 | 18 | ORDER granting <u>17</u> Letter Motion for Extension of Time. Defendants' request for an extension of time to produce responsive documents, Dkt. No. 17, is granted. Defendants shall continue producing responsive documents on a rolling basis, including, but not limited to, productions on November 12, 2018, December 12, 2018, and January 14, 2019, to the extent that the production of responsive documents is not completed before any of those dates. Defendants shall complete their search, processing, and production of documents no later than January 14, 2019. The deadline for Defendants to produce a comprehensive Vaughn Index is two weeks following their final production of documents, and in no event later than January 28, 2019. The parties are ordered to submit a letter regarding the status of the case and any outstanding disputes no later than 30 days following Defendants' production of a Vaughn index, and in no event later than February 28, 2019. The parties should not expect further extensions of these deadlines. (HEREBY ORDERED by Judge Gregory H. Woods)(Text Only Order) (Daniels, A.) (Entered: 10/11/2018) |

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| 12/27/2018 | <u>19</u> | STANDING ORDER M10-468: The United States Attorney's Office shall notify the Court immediately upon the restoration of Department of Justice funding. (As further set forth in this Order.) (Signed by Judge Colleen McMahon on 12/27/2018) (jca) (Entered: 01/02/2019) |
| 12/27/2018 | | Case Stayed (jca) (Entered: 01/14/2019) |
| 01/31/2019 | 20 | ORDER. Pursuant to the Standing Order entered on December 27, 2018, this case was stayed. Dkt. 19. The stay is now lifted. As set forth in the Standing Order, all deadlines are extended by 38 days. The new deadlines are as follows: Defendants shall complete their search, processing, and production of documents no later than February 21, 2019. The deadline for Defendants to produce a comprehensive Vaughn Index is two weeks following their final production of documents, and in no event later than March 7, 2019. The parties are ordered to submit a letter regarding the status of the case and any outstanding disputes no later than 30 days following Defendants' production of a Vaughn index, and in no event later than April 7, 2019. (HEREBY ORDERED by Judge Gregory H. Woods on January 31, 2019) (Text Only Order)(Daniels, Anthony) (Entered: 01/31/2019) |
| 02/20/2019 | <u>21</u> | LETTER MOTION for Extension of Time addressed to Judge Gregory H. Woods from Monica P. Folch dated February 20, 2019. Document filed by U.S. Department of the Interior, U.S. Fish and Wildlife Service.(Folch, Monica) (Entered: 02/20/2019) |
| 02/21/2019 | <u>22</u> | ORDER granting <u>21</u> Letter Motion for Extension of Time. Application granted. Defendants shall complete their search, processing, and production of documents no later than March 1, 2019. The deadline for Defendants to produce a comprehensive Vaughn Index is two weeks following their final production of documents, and in no event later than March 15, 2019. The parties are ordered to submit a letter regarding the status of the case and any outstanding disputes no later than 30 days following Defendants' production of a Vaughn index, and in no event later than April 15, 2019. SO ORDERED. (Signed by Judge Gregory H. Woods on 2/21/2019) (anc) (Entered: 02/21/2019) |
| 04/15/2019 | <u>23</u> | LETTER addressed to Judge Gregory H. Woods from Monica P. Folch dated April 15, 2019 re: Joint Status Report. Document filed by U.S. Department of the Interior, U.S. Fish and Wildlife Service.(Folch, Monica) (Entered: 04/15/2019) |